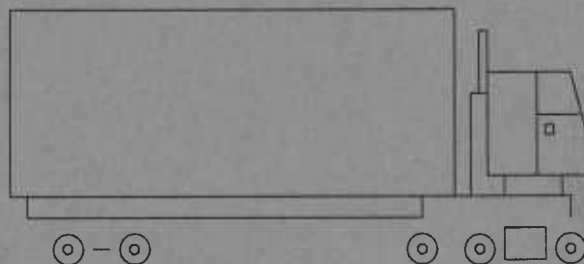


1989

ANNUAL REPORT
OF THE
GOVERNOR'S MOTOR CARRIER
TASK FORCE
FOR
SAFETY AND UNIFORMITY



Submitted to

WILLIAM DONALD SCHAEFER, GOVERNOR
STATE OF MARYLAND

JANUARY, 1990

MD
TD
8.1
:AR/
1989

MD. Y3. F1 76:2/7/989

C.2



Maryland Department of Transportation

The Secretary's Office

5-17
William Donald Schaefer

Governor

O. James Lighthizer

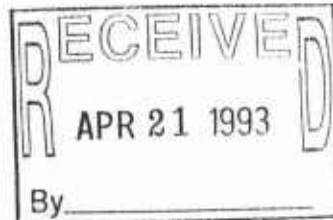
Secretary

Stephen G. Zentz

Deputy Secretary

Copy 2

April 19, 1993



Mr. Michael S. Miller
Maryland State Law Library
Courts of Appeal Building
361 Rowe Boulevard
Annapolis MD 21401-1697

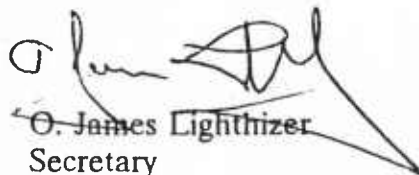
Dear Mr. Miller:

Thank you for your recent letter regarding reports and studies relating to the Governor's Motor Carrier Task Force for Safety and Uniformity.

Enclosed are copies of the reports noted on the attached list. We only have one copy of some of the reports; Mr. Mati Koiva, Chief of the State Highway Administration's Motor Carrier Division, will give you those reports directly. If you have any questions, Mr. Koiva can be reached at (410) 787-7665.

Thank you again for your interest in the Task Force's documents.

Sincerely,


O. James Lighthizer
Secretary

Enclosures

cc: Mr. Mati Koiva

My telephone number is (410)- 859-7600

TTY For the Deaf: (410) 684-6919

Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755



1989
ANNUAL REPORT
OF THE
GOVERNOR'S MOTOR CARRIER TASK FORCE
FOR
SAFETY AND UNIFORMITY

SUBMITTED TO
WILLIAM DONALD SCHAEFER
GOVERNOR
STATE OF MARYLAND

JANUARY 1990



EXECUTIVE SUMMARY

The Governor's Motor Carrier Task Force For Safety and Uniformity is the successor to the Governor's Task Force on Uniform Motor Carrier Procedures and the Truck Safety Task Force. The Task Force continues to study existing Maryland procedures for the taxation, registration and administrative regulation of heavy trucks and buses, and to develop procedures that are simpler and more uniform, while ensuring that safety is not compromised and commercial vehicles pay their fair share of highway user costs. The Task Force has representation from the elected and appointed state officials, motor carrier industry, labor, and citizens. The Secretary of Transportation serves as Chairman.

So as to provide even broader input from the motor carrier industry, an Industry Advisory Committee, composed of representatives of a variety of carriers and industry interests, has been established.

The following are the major issues on which the Task Force focused during calendar year 1989:

- * Preventive Maintenance Program. The Maryland Preventive Maintenance (PM) program was enacted into law in 1988. Draft PM Regulations were developed and published and public meetings held to inform those registered vehicle owners covered by the program. The regulations were adopted with an effective date of January 8, 1990.
- * The 10,000/26,000-pound Threshold. Proposed federal rulemaking changing the definition of trucks covered by the safety regulations from over 10,000 pounds to over 26,000 pounds was extensively reviewed. The Task Force position was to not support the raising of the threshold.
- * Commercial Driver's License (CDL). In preparing for administering the new CDL tests, a Maryland CDL manual was prepared and is now being distributed.
- * Capital Beltway. A number of enforcement and traffic control measures were examined during the past year for use on the Capital Beltway. Numerous recommendations have already been implemented that involved the cooperation and support of Virginia and local jurisdictions.
- * Public Information. A cooperative program with Virginia, "Drive To Survive Together", was undertaken to improve traffic safety on the Capital Beltway, with truck safety as

a major component. A motor carrier element of the statewide "Drive to Survive" highway safety campaign has been developed and will be initiated early in 1990.

The Task Force has continued to make significant progress in improving safety programs and in bringing about greater uniformity in Maryland's motor carrier procedures and between the state's procedures and procedures adopted as national standards. It holds promise for continued benefits from implementing increasingly uniform procedures and resolving other motor carrier problems of interest/concern to the industry and the various state agencies.

**Membership of the Governor's Motor Carrier Task Force
For Safety and Uniformity**

CHAIRMAN

Richard H. Trainor, Secretary
Maryland Department of Transportation
P.O. Box 8755
BWI Airport MD 21240-0755
(301) 859-7397

MEMBERS

The Honorable Thomas Yeager
Senator
Legislative District 13
413 Main Street
Laurel, MD 20707
498-3400

Mr. William L. Rohrbaugh
President
Maryland Bus Association
Rohrbaugh's Charter Service,
Inc.
3395 Main Street
Manchester, MD 21102
239-8000

Ms. Rita Bontz
President
Independent Truckers and
Drivers Association
1109 Plover Drive
Baltimore, MD 21227
242-0507

Mr. Donald M. Bowman
D. M. Bowman, Inc.
Route 2, Box 43 A-1
Williamsport, MD 21795
223-6900

MEMBERS

The Honorable Bruce Poole
Delegate
24 Jonathan Street
Hagerstown, MD 21740
739-6409

Mr. George A. Gallagher IV
President
Maryland Motor Truck
Association, Inc.
George Transfer, Inc.
P.O. Box 3153
Parkton, MD 21120
329-4000
(appointed 9/16/89)

Mr. Walter Thompson
Executive Vice President
Maryland Motor Truck
Association, Inc.
3000 Washington Boulevard
Baltimore, MD 21230
644-4600

Mr. Anthony Dell'Isola
Fleet Specialist
United States Fidelity &
Guaranty Company
100 Light Street
Baltimore, MD 21202
625-5684

Mr. George W. Woods
President
Teamsters Joint Council
319 West Howard Street
Hagerstown, MD 21740
739-7550

Mr. Kenneth L. Pierson
3300 Glen Avenue
Glenn Dale, MD 20769
390-6640

Mr. Claude M. Ligon
Commissioner
Public Service Commission
American Building
231 E. Baltimore Street
Baltimore, MD 21202
333-6094

Captain John Himmelmann
Commander
Truck Enforcement Division
Maryland State Police
7777 Washington Boulevard
Jessup, MD 20794
799-8822

Mr. Arthur E. Price
Director
Motor Vehicle Fuel Tax Div.
Comptroller of the Treasury
P. O. Box 1751
Treasury Building
Annapolis, MD 21401
974-3131
(appointed 8/7/89)

Ms. Rebecca Hahn Windsor
Hahn Transportation, Inc.
P.O. Box 8
New Market MD 21774
865-5467
(term ended 9/26/89)

Dr. Harvey Clearwater
Associate Professor
Director, Safety Education
Center
University of Maryland
PERH
College Park, MD 20742
454-2753

Mr. Marshall Rickert
Administrator
Motor Vehicle Administration
6601 Ritchie Highway
Glen Burnie, MD 21062
768-7274

Capt. Richard Janney
Commander, Automotive Safety
Enforcement
Division
Maryland State Police
6601 Ritchie Highway
Glen Burnie, MD 21062
768-1735

Dr. Katherine P. Farrell
Assistant Secretary for
Toxics, Environmental Science
and Health
Maryland Department of the
Environment
2500 Broening Highway
Dundalk, MD 21224
631-3774

The Honorable Ida G. Ruben
Senator
11 Schindler Court
Silver Spring, MD 20903
439-2332
(appointed 6/5/89)

Howard G. FitzGerald
Director
Motor Vehicle Fuel Tax Div.
Comptroller of the Treasury
P.O. Box 1751
Treasury Building
Annapolis, MD 21401
974-3131
(retired June, 1989)

TABLE OF CONTENTS

	<u>Page</u>
Executive Summary	ii
Membership of the Governor's Motor Carrier Task Force for Safety and Uniformity	iv
Table of Contents	vi
Introduction	1
Vehicle Inspection and Maintenance	1
Public Information	4
Hazardous Materials	5
Training and Penalties	13
Related Safety Issues	15
Permitting	16
Capital Beltway and other Traffic Safety Management Issues	16

Appendices

A - Summary of Task Force Meetings	A-1
B - Motor Carrier Industry Advisory Committee Membership List	B-1
C - Subcommittee Membership Lists	C-1
D - Commercial Motor Vehicle Definition	D-1
E - Commercial Driver Licensing Training Sources	E-1
F - Capital Beltway Safety Issues	F-1

INTRODUCTION

On March 20, 1989, Governor William Donald Schaefer appointed the Governor's Motor Carrier Task Force for Safety and Uniformity as the successor to the Governor's Task Force on Uniform Motor Carrier Procedures and the Truck Safety Task Force. The new task force was asked to continue the work of the previous ones and to address new issues dealing with safety and procedural and regulatory issues. The task force met on April 21, June 7, August 1, and October 5. A summary of these meetings is included as Appendix A.

To provide broader input from the motor carrier industry, an Industry Advisory Committee (see Appendix B for list of members) was appointed by the Chairman of the Task Force.

The work of the task force was primarily done by the various functional subcommittees consisting of task force members and other interested individuals (see Appendix C for list of members of the subcommittees). Therefore, this report is organized principally along the functions of the subcommittees.

VEHICLE INSPECTION AND MAINTENANCE SUBCOMMITTEE

The subcommittee provided oversight to the Preventive Maintenance (PM) Program activities and concerned itself with the need to undertake a continuous review of the safety impact of the Maryland Motor Carrier Safety Program.

Preventive Maintenance Program

The Preventive Maintenance Regulations were published on June 30, 1989 in the Maryland Register, Volume 16, Issue 13, Part II, pp.1-63. Revisions were published in the November 3, 1989 edition. Copies of the Maryland Register were provided to all individuals who attended the public meetings. The final notice adopting the regulations was printed in December making them effective January 8, 1990.

A PM brochure describing the program was developed and mailed to 100,337 registered owners of Class E trucks with a registered or operating gross vehicle weight of over 10,000 pounds; Class F tractors; Class G freight trailers or freight semi-trailers; and Class P passenger buses. Eight public meetings, as announced in the brochure, attended by approximately 2,500 individuals, were held in Cumberland, Laurel, Towson, Salisbury, Waldorf, Frederick, Linthicum, and Centreville during

August and September.

During the month of November, seven regional workshops were held in Salisbury, Essex, Chestertown, Frederick, Annapolis, Cumberland, and Greenbelt for state and local governmental agencies. Approximately 150 individuals attended these meetings. All attendees received copies of the Maryland Register and the revisions.

Speakers regarding PM were provided to 50 workshops or conferences sponsored by other organizations.

Roadside Inspections

The number of inspections completed in FY 1989 increased approximately 25% above FY 1988 inspections. The percent of trucks placed out of service as a result of full driver/vehicle inspections increased from 51.8% in FY 1988 to 52.9% in FY 1989. The number of citations issued increased 49% in FY 1989. A summary of the roadside inspections for the three fiscal years is as follows:

Roadside Inspection Summary

	FY 1987	FY 1988	FY 1989
Number of Roadside Inspections			
Trucks	7,397	19,193	23,732
Buses	489	1,195	1,735
Total	7,886	20,388	25,467
Percent of Trucks			
*Out-of-service	56.4	51.8	52.9
Average Number			
*of Defects per Truck	5.25	4.4	4.55
Citations Issued	2,566	5,652	8,429

* Based on data obtained from full driver/vehicle inspections using CVSA/FHWA inspection criteria

Random Vehicle Inspections

On March 28, 29 and 30, 1989, random vehicle inspections (CVSA level 1, full vehicle/driver inspections) were conducted on I-70 at the West Friendship and New Market weigh stations from 7 am - 5 pm. Vehicles were selected for inspection on a random numerical basis to assure equal probability of selection.

Analysis of the random vehicle inspections indicates the following:

1. Of the 261 vehicles inspected, 120 vehicles (46%) were placed out of service.
2. Of the 261 drivers checked, 7 (3%) were placed out of service.
3. For Maryland registered trucks inspected, 56 of the 110 (51%) vehicles inspected were placed out of service.

Future random vehicle inspections will be conducted to determine if compliance is improved as a result of the Preventive Maintenance Program and other Maryland Motor Carrier Safety Program initiatives.

Post Accident Investigations

The Maryland State Police conducted a total of 94 in-depth investigations of serious accidents involving heavy trucks and buses during CY 1989. The results indicate that driver error was the cause and/or major contributing factor in 82% of those 94 accidents. The analysis further indicates that the truck or bus driver was at fault in 51% of the cases and the driver of the passenger car or light truck in 49%. Equipment related defects were the major cause and/or contributing factor in 18% of the 94 accidents.

Heavy Truck Accident Trends

Heavy trucks (trucks of over 10,000 lbs. gross weight) were involved in 101 fatal and 1,920 serious injury accidents in 1988, slight increases over 1987. Fatal accident and serious injury accident data from 1983 to 1988 is as follows:

Year	<u>Heavy Trucks</u>					<u>5-Year Average</u>	1988
	1983	1984	1985	1986	1987	1983-87	
Fatal Accidents	95	94	112	109	100	102	101
Serious Injury Accidents	1,460	1,700	1,740	1,890	1,890	1,740	1,920

Definition of Heavy Truck

The Federal Highway Administration (FHWA) issued an advanced notice of the proposed rulemaking in early 1989 asking for comments on raising the definition of a heavy truck from over 10,000 pounds to over 26,000 pounds gross vehicle weight. Based on vehicle out of service data and other considerations, the task force expressed a sense of opposing the increase of the weight threshold. The full MDOT response to FHWA is included as Appendix D.

Impact of Safety Program

The safety impact study will concentrate on a comparison of Maryland vehicles/drivers and out-of-state vehicles/drivers, and the impact of the program on accident reduction. The study will also attempt to ascertain the extent the number of road-side inspection and in-terminal activities should be increased in future years.

PUBLIC INFORMATION SUBCOMMITTEE

The Public Information Subcommittee emphasis during 1989 included a comprehensive Washington, D.C. Capital Beltway safety program. Its goal is to change aggressive driving behavior in

all drivers and to foster mutual respect by all highway users.

The program, "Drive To Survive Together," is a cooperative program effort between Virginia and Maryland to improve traffic safety on the 64-mile beltway. Maryland's share is 41 of those miles.

Virginia and Maryland each provided \$250,000 for the program and are attempting to raise matching funds and services from the business community. "Drive To Survive Together" initially began as a one-year campaign. With on-going enthusiasm based on improved beltway conditions and accident statistics, the campaign will continue with modifications made as needed to maintain highway safety.

In addition, a motor carrier element of the Maryland statewide "Drive To Survive" highway safety campaign has been developed. It includes TV, radio and print advertisement that will be included in a media campaign sponsored by Maryland Motor Truck Association early in 1990. Other major sponsors are being sought to bring this important safety message to the public.

HAZARDOUS MATERIALS SUBCOMMITTEE

The Hazardous Materials Subcommittee has reviewed a number of issues relating to the transportation of hazardous materials during 1989. The intent of the deliberations was to review existing conditions and provide comment and recommendations to the full Task Force. Topics included in the deliberations included: 1) Training, 2) Placarding, 3) Safe Havens, and 4) Routing. The findings of the committee and its recommendations are presented below:

Training

Training is an integral part of the operations of all transportation related programs. Well trained workers are usually associated with good companies that have good safety records. The new Commercial Drivers License will require that drivers hauling hazardous materials have a minimum level of competency. This is expected to further improve the generally safe record of hazardous materials haulers.

One additional training responsibility may have been placed on shippers, carriers, and various government and emergency response personnel under the Occupational Safety and Health Administration (OSHA) regulations promulgated this past March. In those, Code of Federal Regulations (29 CFR 1910.120),

requirements on the training of employees that may be first responders to an incident situation involving hazardous materials, are mandated. If it is assumed that any employee that comes upon the scene of an accident becomes a "First Responder" under the regulations, then it becomes an obligation of the employer to provide training to meet the OSHA regulations. The specific language of the OSHA regulations from the Federal Register - of March 6, 1989 page 9329 29 CFR 1910.120 (q)(6)(i) is as follows:

First responder awareness level. First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

- (A) An understanding of what hazardous materials are, and the risks associated with them in an incident.
- (B) An understanding of the potential outcomes associated with an emergency created when hazardous materials are present.
- (C) The ability to recognize the presence of hazardous materials in an emergency.
- (D) The ability to identify the hazardous materials, if possible.
- (E) An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the U.S. Department of Transportation's Emergency Response Guidebook.
- (F) The ability to realize the need for additional resources, and to make appropriate notifications to the communication center.

Based on the above regulations, it would seem to be appropriate, if not mandatory, for employers that have their workers in jobs where incidents are likely to be discovered to be trained to the level specified above.

Recommendation:

The committee believes that all employers, both private sector and government, must be encouraged to contact the Maryland Occupational Safety and Health Office and examine the State and federal

OSHA regulations to determine whether their employees need to be trained to the above stated competencies. The liability costs for injured employees that were not trained must be considered in the evaluation of need.

Placarding

Placards are the means by which shippers and carriers express to the public and emergency responders the type of hazard that may be encountered in an accident or spill involving the motor vehicle and its contents. It is recognized that the placards do not reveal all hazards that may be encountered because many shipments of less than 1,000 pounds do not require placarding. The U.S. Department of Transportation (DOT) regulations specifically excluded these smaller shipments from the requirements because it did not want to nullify the impact of the highly visible warning with a saturation exposure. Only those shipments with quantities posing a significant risk are required to be placarded. Materials such as explosives, poisons, some radioactive materials, and flammable solids that are dangerous when wet are required to be placarded regardless of the quantity being transported.

The U.S. DOT has requested comments on the need to revise the placarding requirements. Some issues that are being discussed concern the size of placards, shipment quantities requiring placarding, and the use of displays or messages that may negate the effectiveness of placards.

The committee discussed these and a number of other issues relating to the placarding question. The findings of the committee are presented below:

A). Size. Increased placard size would certainly enhance visibility and, therefore, enhance safety. There are, however, physical limitations. Since experience has shown the current size to be satisfactory in most instances and the impact on industry to switch to a larger size (which could be only marginally larger) would be significant, the committee reached a consensus that no changes in size should be supported.

B). Quantity Thresholds. The existing regulations, which require placarding at the 1,000 pound level, are considered adequate for the expression of potentially significant hazards. At the present threshold, hazardous materials in quantities of less than the equivalent of two 55 gallon drums would not be expected to present a risk to emergency responders any greater

than the risk posed by the fuel carried in the vehicles "gas" tank(s). Thus, reducing the threshold would not produce an enhancement of hazard expression. Increases in the threshold would reduce the warning effects and should not be considered.

C). Confusing Displays. The Federal regulations state that "No person may affix or display any sign or other device on a transport vehicle, . . . , that by its color, design, shape, or content could be confused with any placard prescribed in this subpart." (49 CFR 172.502(b)). Some displays have been identified by the U.S. DOT as being confusing and have been ruled to be prohibited. The present practice of using the placard holders on vehicles to display safety messages such as "drive safely" can in certain situations be confused with a warning message. Although the U.S. DOT has not ruled on the use of these messages, the committee recommends that the use of such messages be discouraged and that the U.S. DOT consider the promulgation of a rule that would phase out their use.

D). Multiple Hazards. Many substances pose multiple hazards. One of the more prominent substances in this category is methyl isocyanate (MIC). Prior to Bhopal, the U.S. DOT classified this substance as a flammable liquid without any reference to its poison by inhalation hazard. Since Bhopal, the U.S. DOT has added the requirement to express the secondary hazard on the shipping documents and more recently added a requirement to display a warning statement on the outside of the transport vehicle.

Recommendation:

The U.S. DOT should be encouraged to establish in regulations a requirement for transporters to express all hazards that a substance may have. These hazards should be expressed in all communication elements; marking, labelling, placarding, and shipping paper descriptions.

E). Off Road Use. The committee reviewed the need for emergency responders to have the same access to emergency information (i.e. placarding) at off road sites as they have for vehicles on the road. Since some companies use road vehicles as on site storage areas for certain hazardous materials, it would seem to be an appropriate practice to retain any required placarding on vehicles used for off road storage.

The use of placards on off road storage containers as a means of frightening would be criminals was also

discussed by the committee. The consensus was that the expression of a hazard that does not actually exist can impede the actions of an emergency response team and prevent the timely control of a situation or the rescue of an accident victim. Security, at the expense of safety for emergency responders, should not be allowed. Other security measures should be employed rather than the use of inappropriate placards.

Recommendation:

Since the scope of the Federal and State regulations apply only to commercial transporters, the committee recommends that State and local fire officials consider the establishment of requirements to maintain placarding of vehicles used in off road storage. Additionally, the committee recommends that the use of placards be prohibited on off road storage vehicles and buildings that do not contain hazards indicated by the placards.

F). Applicability To Government Vehicles. The Federal hazardous materials transportation regulations were developed as an outgrowth of the rules of the Interstate Commerce Commission. The authority of that organization was limited to commercial enterprises. Although the management of the highway safety program is now with the U.S. DOT, their regulations still limit applicability to commercial operations.

Hazardous materials are no less of a problem in government operations than they are in commercial enterprises. In fact, the personnel in government could be argued to be less experienced than their counterparts in industry that may work with the materials or vehicles on a more consistent basis.

Recommendation:

The committee recommends that revisions to the statutes and regulations be considered to require the use of placarding on government vehicles. Until those actions are implemented, the committee urges government agencies to voluntarily comply with the current rules regarding hazard communication: marking, labelling, placarding, and shipping papers.

Safe Havens

Safe havens are defined by the National Fire Protection

Association (NFPA) as locations where shipments of certain very hazardous explosive materials can be safely stored. The NFPA has established a set of specific criteria that it feels is necessary for the protection of the surrounding public. The criteria include such items as: berms, fencing, lighting, paving, fire extinguishers, availability of power units, and surveillance.

These criteria are far in excess of the needs for the safe storage of most other hazardous materials. For this reason, the committee feels that it is necessary to clearly distinguish the difference between "safe havens" and "secure parking areas".

The need for safe havens is limited to those transporters that deal in the interstate transportation of explosives. This is believed to be a relatively small segment of the trucking industry. The key factor relating to the need for safe havens is the requirements of the regulations that one person be constantly in view of the vehicle. In order to meet this requirement, transporters must have two drivers or persons accompanying the vehicle on overnight trips, or the company must hire a night watchman.

Parking a vehicle and relinquishing the responsibility and liability to a safe haven operator could have significant implications regarding insurance costs. Operational costs, which would require the availability of a 24 hour watchman, in addition to the construction costs, would seem to make the establishment of a commercially viable safe haven questionable in view of the limited extent of the industry need. A government operation would seem to be impractical for the same economic reasons.

The establishment of safe or secure parking areas for hazardous materials vehicles would carry much of the same economic disincentives. The establishment of secure parking areas for these vehicles that are having mechanical or containment problems would be problematical. The usual response decision is determined by the specific circumstances of the situation. In most instances, the emergency responders prefer to deal with the situation where it exists. Moving a vehicle that is having problems would be expected to exacerbate the situation. If a vehicle must be moved, the choice would be to move it the shortest distance possible. Given these circumstances, the selection of sites for any of these "safe areas" would be extremely difficult.

Recommendation:

The establishment of contingency plans by the Local Emergency Planning Committees (LEPCs) for highway incidents must be part of their overall responsibilities. Should they identify a need for a dedicated safe parking area for distressed

vehicles, they should be encouraged to work with State and local emergency response personnel in developing their plans.

Routing

Specific routing requirements for hazardous materials shipments are limited to certain high levels of radioactive materials known as Highway Route Controlled Quantities (HRCQ) and Class A and B explosives. General routing requirements for all hazardous materials shipments are also contained in 49 CFR 397.9. The text of those requirements is as follows:

Unless there is no practicable alternative, a motor vehicle which contains hazardous materials must be operated over routes which do not go through or near heavily populated areas, places where crowds are assembled, tunnels, narrow streets, or alleys. Operating convenience is not a basis for determining whether it is practicable to operate a motor vehicle in accordance with this paragraph.

The radioactive materials rules are contained in Title 49 of the Code of Federal Regulations (CFR) at part 177.825. They require that the shipments be made on "safe" routes and except for emergency or delivery situations shall be on "designated" routes. Designated routes include the federal interstate system and any routes designated by states as alternates. Specific route plans are to be developed for each HRCQ shipment and provided to the driver.

Since the initial construction of the Interstate system, many of the system's segments in and around urban centers have become heavily congested. The Baltimore and Capital Beltways are prime examples of this situation. Because of these changes in traffic use patterns, it could be argued that those segments of the Interstate system are not as safe as some of the more rural areas. If this premise is acceptable, then it could be reasoned that some consideration should be given to evaluating the risks of having hazardous materials shipments routed over the less risky segments. In order to conduct a comprehensive risk analysis that involves interstate routes, a nationally uniform procedure needs to be established. The U.S. DOT has such a document for HRCQs of radioactive materials, but has not extended it to cover other hazardous materials.

Maryland, in 1981, used the federal guidelines to establish alternate routes for HRCQ shipments. They included U.S. Route 301 and U.S. Route 40/48. On May 12, 1988, the U.S. DOT published new rules on designating routes for HRCQs of

radioactive materials. In these rules at 49 CFR 177.825, alternate routes must be registered with the U.S. DOT. Maryland has not fully complied with the registration requirements and the previously designated routes are now not authorized for those shipments. With the prohibition of HRCQ shipments through the Pennsylvania Turnpike tunnels, any shipments from the Maryland area to western states must be routed north or south on interstates 81,83, or 95 to Interstate routes 80 or 40 in northern Pennsylvania or Tennessee.

Routing requirements for Explosives A and B shipments are presented in 49 CFR 397.9. Those regulations require a written route plan similar to those for HRCQs.

The absence of any other routing regulations has placed the burden of selecting routes on the shippers and carriers. Except for the specific guidance that applies only to HRCQ shipments, routing procedures are undefined. It is in this area where the U.S. DOT is beginning to consider whether specific procedures need to be developed.

In an Advance Notice of Proposed Rule Making in the Federal Register of April 7, 1988, the U.S. DOT called for comments on this issue. Factors such as the identification of which risk elements are significant, how they should be weighted, and how they should be evaluated were opened for discussion. Comments on cost factors were also sought. Possibly of primary significance was the question of what roles industry, local, state, and federal agencies should take in the process.

Legislative involvement in the selection of routes was not considered by the committee to be appropriate. The process of objectively and scientifically examining all of the elements that go into a risk assessment of alternative routes requires the consideration of many issues beyond those that can be dealt with in a political forum.

Recommendations:

1. Maryland should encourage the U.S. DOT to develop nationally uniform procedures for evaluating the risks of routing various hazardous materials.
2. Maryland Department of Transportation should establish a designated unit to serve as the focus of highway routing issues.
3. An advisory body for the routing unit should be established to provide input into the development and use of any routing procedures. The advisory body should have representatives from police, fire, emergency response, health, environment, and industry

organizations.

4. The routing unit should be provided with authority to administer all routing programs in the State and be given the authority to resolve any disputes that may develop among local jurisdictions. The unit would likewise need to yield to federal authority in interstate disputes.

5. Routing restrictions should be applied to only those transported substances that pose a "significant risk", as defined by the U.S. DOT, to the public. The committee recommends that the "significant" risk substances include only those materials that pose a poison by inhalation, explosive, or significant radiological (Highway Route Controlled Quantities) hazard. National uniformity in the selection of substances subject to routing restrictions is essential.

6. Industry should be encouraged to voluntarily establish routing procedures for all their hazardous materials shipments to minimize risks to the public. Time of day considerations should be weighed in their planning to avoid the higher risks associated with rush hour travel.

TRAINING AND PENALTIES SUBCOMMITTEE

The subcommittee addressed several issues regarding truck driver training, licensing and penalties in 1989. The subcommittee looked at training opportunities for Maryland truck drivers that would enable them to successfully pass the commercial driver's examination in order to maintain their ability to operate commercial vehicles. The subcommittee found sufficient opportunities in place for such training and was apprised of the fact that many other opportunities are being developed in the state to serve this need.

Some of the training organizations that are available in Maryland are included in Appendix E. The quality of material and training opportunities available appears, at present, to be adequate; however, the needs of the Maryland driver cannot be adequately assessed at this time. Some experience after January 1, 1990 with the success and/or failure rate of the Maryland truck drivers, will help to determine any additional needs that need to be put in place to assist the Maryland commercial driver in obtaining the required commercial driver's license.

The Maryland Commercial Driver's License Program has been effectively developed administratively by the Motor Vehicle Administration. The Administration appears to be ready to implement Maryland's Commercial Driver's License Program commencing January 1, 1990. The CDL program resulted from the 1986 Federal Safety Act, that requires the states to establish classified driver's licenses, stricter more efficient testing procedures and stricter standards of behavior for operators of commercial motor vehicles. Under this legislation, commercial motor vehicles are defined as trucks in excess of 26,000 pounds, buses carrying more than 15 passengers and transportation of hazardous materials requiring placarding regardless of the nature of the vehicle used. This important truck safety legislation will have far reaching impact on commercial truck transportation in the United States.

The Task Force is providing sufficient copies of the highly touted video AAA Foundation for Traffic Safety presentation, "Sharing the Road With Big Trucks", to the professional driving schools in Maryland. The Maryland Motor Vehicle Administration Driver Improvement Program is being reviewed further to insure that the commercial vehicle driver is getting adequate consideration and information from its courses. This will be made part of an ongoing process of the Motor Vehicle Administration's review and quality control procedures in its Driver Improvement Program.

The subcommittee is recommending to the task force that it endorse the more extensive use of defensive driving courses by the trucking industry.

The subcommittee reviewed and has endorsed the updated fine schedules for commercial vehicle drivers submitted by the Maryland State Police. This new fine schedule was adopted by JIS under Margaret Kostritsky, Chief Clerk, District Court. Publications of the new fine schedule will be incorporated in the next printing on July 1, 1990 of the District Courts official fine and point assessment pamphlet.

On Capital Beltway safety issues, this subcommittee realizes that the undertaking of or recommendation of any programs to affect commercial drivers' attitudes which may be unfit or unsafe for the Capital Beltway, requires extensive review and identification of attitudes presently held by these drivers and further cataloging of these negative attitudes and behavior patterns, the review of this issue by this subcommittee would require a lot of in-depth studying and additional resources to accomplish. This might be a major singular topic to involve the committee and the task force in 1990.

RELATED SAFETY ISSUES SUBCOMMITTEE

The Subcommittee on Related Safety Issues met twice during the year and decided to monitor the many Federal Motor Carrier Safety Regulations rulemakings to keep the committee advised on the status of ongoing dockets that would impact on Maryland's truck and bus safety regulatory program. These rulemakings include:

Docket MC-89-4	Emergency Warning Devices
Docket MC-89-5	Redefinition of Commercial Motor Vehicle
Docket MC-89-6	Motor Vehicle Marking
Docket MC-88-14	Commercial Driver's License Standards
Docket MC-114	Recision of the Commercial Zone Exemption
Docket MC-116	Controlled Substances Testing
Docket MC-128	Blood Alcohol Concentration Level for Commercial Vehicle Drivers
Docket 89-17	Safe Entry and Exit Requirements for Commercial Vehicles
Docket 89-18	Reflecting Surfaces

The Subcommittee also decided to review developing issues which have not yet reached the rulemaking stage. These include:

- o The hazards associated with alternative fuels for commercial vehicles.
- o Opportunities for improving commercial vehicle accident data.
- o Need for increased roadside rest facilities for commercial vehicles.

The Subcommittee plans to continue to monitor Federal developments in the motor carrier safety regulatory field as reflected in rulemakings by the Federal Highway Administration, the National Highway Traffic Safety Administration and the Office of Hazardous Materials of the Research and Special Programs Administration, and such other emerging commercial vehicle safety issues as are identified.

At this time, the Subcommittee recommends continued efforts to identify and fund additional or enlarged roadside rest facilities for commercial vehicles within the State to allow parking for commercial vehicles in order that fatigued drivers may get appropriate rest and meet hours of service limitations.

PERMITTING SUBCOMMITTEE

The Permitting Subcommittee met twice during 1989.

Trucking in Maryland: A Handbook was revised and reviewed by the subcommittee. Several parts of the handbook were revised to reflect 1989 legislation and revisions to motor carrier regulations.

The subcommittee undertook a detailed review of the New England Oversize/Overweight Agreement and the Multi-State Oversize/Overweight Trip Permit Agreement. In addition, the subcommittee is also reviewing the International Temporary Permit Agreement for fuel tax and International Registration Plan temporary permits. The purpose of these agreements is to enable a motor carrier to obtain the required permits for member states by contacting one state.

The Minnesota Department of Transportation conducted a survey in 1989 on behalf of American Association of State Highway Transportation Officials to obtain opinions and data on oversize/overweight issues and status on implementation of the National Governor's Association consensus agenda. The subcommittee provided comments in response to that survey.

The Federal Highway Administration contracted with a consultant in late 1989 to study alternatives for simplifying oversize/overweight permitting procedures. The subcommittee will monitor the progress of that study.

The subcommittee remains interested in establishing a motor carrier telephone information service as a step to improving services. The decision was made previously to incorporate that service into the Motor Carrier Services Section of Motor Vehicle Administration. Three additional positions are needed to implement that service.

The Subcommittee will continue to pursue these and other issues in 1990 to provide efficient services.

CAPITAL BELTWAY AND OTHER TRAFFIC SAFETY AND MANAGEMENT ISSUES

The Final Report of the Truck Safety Task Force dated January 1, 1989, included a section on various traffic safety issues that were raised subsequent to a series of truck accidents

involving hazardous materials on the Capital Beltway. The great majority of the suggestions made have been acted on and the results are shown in Appendix F. In addition, MDOT issued a report entitled Beltway Safety in 1989 at the request of the Maryland General Assembly.

APPENDIX A

Summary of Task Force Meetings

Summary of Task Force Meetings
January - December, 1989

April 21st

Secretary Trainor welcomed everyone to the new task force, officially called the Governor's Motor Carrier Task Force for Safety and Uniformity, and announced the new subcommittee assignments. There was a presentation on the effect on the Department of the International Registration plan and the fuel tax. There was also a discussion of the results of the just concluded 1989 General Assembly session. Major items which passed included the Commercial Drivers License, the covered load bill, and quarterly proration of registration. Other items which failed included action on increased inspections, weight tolerances, 53 foot trailers, fuel tax, and trailer length-size restrictions.

June 7th

Additional appointments to the Task Force and Advisory Committee were announced. Status reports from each subcommittee were given and of particular interest were the scheduled publication of the Preventive Maintenance regulations and the time-table for the motor carrier portion of the Drive to Survive campaign. There was a thorough discussion of the proposed federal rulemaking on changing the definition of trucks covered from 10,001 to 26,001 pounds. The Task Force endorsed the recommendation to not change to the higher threshold and to keep trucks of 10,001 pounds subject to the inspection and enforcement requirements.

August 1st

Copies of the new Preventive Maintenance brochure were passed out for review by the task force members. The group was briefed on the mailing to be made to the registered owners affected by the PM program and on the upcoming public meetings to explain the program. Also discussed were the arrangements being made for Maryland to co-host the Mid-Atlantic Workshop and the feasibility study of the use of photo-radar as an enforcement tool on the Capital Beltway.

October 5th

The group was informed on the results of the PM public hearings. Approximately 2,500 people attended the eight meetings and planning is underway to conduct seven more meetings throughout the state with state, local, and other governmental agencies to explain the PM program requirements to them. The Drive to Survive Together ads, which are to air over the next month, were previewed. The results of the Mid-Atlantic Workshop were discussed with the consensus of those who attended that too much of the agenda was taken by federal government speakers. The issue of Maryland's weight law being in conflict with federal law was reviewed and the two areas of conflict are the tolerance for agricultural and forest products and for sealed seagoing containers.

APPENDIX B

**Maryland Motor Carrier Industry Advisory Committee
Membership List**

**Maryland Motor Carrier Industry Advisory Committee
to the
Governor's Motor Carrier Task Force for Safety and Uniformity**

CHAIRMAN

J. Sean Callahan
Preston Trucking Co., Inc.
151 Easton Boulevard
Preston, Maryland 21655
(800) 551-7737 or 1-673-7151

MEMBERS

D. L. Alberti
Alberti Van & Storage, Inc.
18930 Gaithersburg-
Laytonsville Rd.
Gaithersburg, Md. 20879-4196
840-2100

Chris Balodemas
Director of Traffic,
Transportation
and Fleet Maintenance
Giant Food, Inc.
6000 Sheriff Road
Landover, Md. 20785
341-4875

Rita Bontz, President
Independent Truckers
and Drivers Association
1109 Plover Drive
Baltimore, Md. 21227
242-0507

Donald M. Bowman
D. M. Bowman, Inc.
Route 2, Box 43 A-1
Williamsport, Md. 21795
223-6900

Theodore E. Brooks, Sr.
5513 Dolores Avenue
Baltimore, Md. 21227
247-1836

Edward Gallagher IV
President
Maryland Motor Truck
Association
George Transfer, Inc.
P. O. Box 3153
Parkton, Md. 21120
329-4000

MEMBERS

Eugene Higgins
Joseph J. Hock Trucking,
Inc.
5501 Belle Grove Road
Baltimore, Md. 21225
789-4400

Ty Pruitt
Ty Pruitt Trucking
539 N. Dean Street
Baltimore, MD 21205
732-5020

H. Glenn Miller
Genstar Stone Products Co.
Executive Plaza IV
11350 McCormick Road
Hunt Valley, Md. 21031
628-4000

John C. Miller
Maryland Farm Bureau
8930 Liberty Road
Randallstown, Md. 21113
922-3426

Thomas March
Greyhound Lines, Inc.
1110 New York Avenue, N.W.
Washington, D. C. 20005
202-289-5133

Ray Poussard
Public Affairs
United Parcel Service
316 Pennsylvania Avenue
Washington, D. C. 20003

Peter Ramaley
S & A Distribution Services
900 S. Eutaw Street
Baltimore, Md. 21230
685-2200

Edwin F. Hale, President
Port East Transfer, Inc.
Pulaski Hwy & 68th Street
Baltimore, Md. 21237
342-1500

Rebecca Hahn Windsor
Hahn Transportation, Inc.
P.O. Box 8
New Market MD 21774
865-5467

Bill Rohrbaugh, President
Rohrbaugh's Charter Service
3395 Main Street
Manchester, Md. 21102
239-8000

Bill Orner
President
Western Maryland Trucker's
Association
R.D.1 Box 209
Grantsville, MD 21536
895-5436 (office)
895-5710 (home)

Gordon Westkamp
Baltimore Tank Lines
P. O. Box 1028
Glen Burnie, Maryland 21061
760-5500

APPENDIX C

Membership List of Subcommittees

Vehicle Inspection and Maintenance Subcommittee

CHAIRMAN

Clyde E. Pyers
 Director, Office of Transportation Planning
 Maryland Department of Transportation
 P.O. Box 8755 MS 135
 BWI Airport, MD 21240
 859-7333

MEMBERS

Captain Richard Janney
 Automotive Safety Enforcement
 Division
 Maryland State Police
 6601 Ritchie Highway
 Glen Burnie, MD 21062

Bruce Diehl
 Motor Vehicle Administration
 6601 Ritchie Highway
 Glen Burnie, MD 21062

Edward Gallagher IV
 George Transfer, Inc.
 P. O. Box 3153
 Parkton, MD 21120

Carl R. Harbaugh
 MDOT/OTP
 P.O. Box 8755
 BWI Airport, MD 21240-0755

Murray Zepp
 Maryland Motor Truck Assoc.
 3000 Washington Boulevard
 Baltimore MD 21230

wp: tislst
 8/10/89

MEMBERS

Frank Maule
 Department 801
 Giant Food, Inc.
 P. O. Box 1804
 Washington, DC 20013

Claude M. Ligon, Commissioner
 Public Service Commission
 American Building
 231 E. Baltimore St.
 Baltimore, MD 21202

Richard Page
 Public Service Commission
 American Building
 231 E. Baltimore St.
 Baltimore, MD 21202

Dr. Harvey Clearwater
 Associate Professor
 Director, Safety Education
 Center
 University of Maryland
 PERH
 College Park, MD 20742

PM Regulations Working Group

Mr. Eugene Higgins
Joseph J. Hock Trucking, Inc.
5501 Belle Grove Road
Baltimore, Maryland 21225
789-4400

Ms. Rita Bontz, President
Independent Truckers and
Drivers Association
1109 Plover Drive
Baltimore, Maryland 21227
242-0507

Mr. Murray Zepp
Maryland Motor Truck
Association, Inc.
3000 Washington Boulevard
Baltimore, Maryland 21230
644-4600

Mr. Dave Gaulden
Preston Trucking Co.
151 Easton Blvd.
Preston, MD 21655
673-7151

Mr. Louis F. Sturn
LFS Coach, Inc.
2200 Ridge Road
Baltimore, MD 21207
298-3334

Mr. V. Fred Storm
Monumental Motor Tours, Inc.
3319 Pulaski Hwy.
Baltimore, MD 21224
675-8000

Mr. Frank Maule
Department 801
Giant Food, Inc.
Post Office Box 1804
Washington, D.C. 20013
995-4717

Capt. Richard Janney
Commander
Automotive Safety Enforcement
Division
Maryland State Police
6601 Ritchie Highway
Glen Burnie, Maryland 21062
768-9175

Lt. Bob Kirk
Maryland State Police
1401 Bel Air Road
Bel Air MD 21014
879-2101

Mr. Richard Page
Public Service Commission
American Building
231 E. Baltimore Street
Baltimore, MD 21202
333-6060

Mr. Andrew C. Phillips
Public Service Commission
American Building
231 E. Baltimore Street
Baltimore, MD 21202
333-6013

Mr. W. Drew Stabler
Agriculture
4401 Brookeville Road
Brookeville, MD 20833
774-9290

Dr. Harvey Clearwater
Associate Professor
Director, Safety Education
Center
University of Maryland
PERH
College Park, MD 20742
454-2753

Ms. Diane Ratcliff
Manager, Statewide Programs
Mass Transit Administration
300 W. Lexington Street
Baltimore, MD 21201-3415
333-2993

Mr. Clyde Pyers
Director
Office of Transp. Planning
MDOT, M.S. 135
P.O. Box 8755
BWI Airport, MD 21240-0755
859-7333

Mr. Mati Koiva
Office of Transp. Planning
MDOT, M.S. 135
P.O. Box 8755
BWI Airport, MD 21240-0755
859-7333

wp: pmgroup

Related Safety Issues Subcommittee

CHAIRMAN

Kenneth L. Pierson
3300 Glen Avenue
Glenn Dale, MD 20769
390-6640

MEMBERS

Cpl. M. (Buddy) Bell
Maryland State Police
S.T.E.U.
777 Washington Blvd.
Jessup MD 20794
799-0146

Rita Bontz
President
Independent Truckers and
Drivers Association
1109 Plover Drive
Baltimore, MD 21227
242-0507

James Latchaw
14201 Gaines Avenue
Rockville, MD 20853
871-7067

Frank Maule
Department 801
Giant Food, Inc.
Post Office Box 1804
Washington, D.C. 20013
341-3165

Mike Zezeski
Office of Traffic
7491 Connelley Drive
Hanover, MD 21076
787-5860

Carl R. Harbaugh
MDOT/OTP
P.O. Box 8755
BWI Airport, MD 21240-0755
859-7364

MEMBERS

Andrew R. Hricko
General Counsel
Insurance Institute for
Highway Safety
Suite 800
1005 N. Glebe Road
Arlington VA 22201
(703)247-1500

Richard Page
Public Service Commission
American Building
231 E. Baltimore Street
Baltimore, MD 21202
333-6063

Joseph Colden
Motor Vehicle Administration
6601 Ritchie Highway
Glen Burnie, MD 21062
787-2971

Anthony Dell'Isola
Fleet Specialist
United States Fidelity &
Guaranty Company
100 Light Street
Baltimore, MD 21202
625-5684

Houston D. Wedlock
Safety Coordinator
Preston Trucking Company
151 Blades Lane
Baltimore, MD 21061
636-3000

Hazardous Materials Subcommittee

CHAIRPERSON

Dr. Katherine P. Farrell
Asst. Sec. for Toxics, Environmental Science & Health
Maryland Department of the Environment
2500 Broening Highway
Baltimore, MD 21224
(301) 631-3775

MEMBERS

George Harman
Program Administrator
Toxics Registries & Analysis Prog.
2500 Broening Highway
Baltimore, MD 21224
631-3794

William P. Rupert
Chief, Haz. Mat. Trans. Division
Md. Dept of the Environment
2500 Broening Highway
Baltimore, MD 21201
631-3791

Max Drauschak
Preston Trucking Co.
151 Easton Boulevard
Preston, MD 21655
673-7151

Peter B. Ramaley
Inland Leidy
900 S. Eutaw Street
Baltimore, MD 21230
685-2200

Michael Zezeski
State Highway Administration
7491 Connelley Drive
Hanover, MD 21076
859-7482

Kevin McNiel
Fleet Transit, Inc.
3225 Tate Street
Baltimore MD 21226
355-7910
1-800-848-9393

MEMBERS

Lt. Lonnie Fulton
Md. Transportation Authority
P. O. Box 19691
2200 S. Clinton Street
Baltimore, MD 21225
522-9409

Murray Zepp
Maryland Motor Truck Association
3000 Washington Boulevard
Baltimore MD 21230
644-4600

Allen Ward
Office of Fire Marshall
6776 Reisterstown Road
Suite 314
Baltimore, MD 21215
836-4844

Capt. Richard Janney
Automotive Safety Enforcement
Division
Maryland State Police
6601 Ritchie Highway
Glen Burnie, MD 21062
768-1735

Lt. Kenneth Harry
Truck Enforcement Division
Maryland State Police
7777 Washington Boulevard
Jessup, MD 20794

James Henry
Md. Port Administration
P.O. Box 3908
Baltimore MD 21222
633-1057

-2-

MEMBERS

Joseph L. Muscaro
Haz. Mat. Program Manager
U.S. DOT
Federal Highway Administration
31 Hopkins Plaza, Rm. 1615
Baltimore MD 21201
962-4571

Mati Koiva
Md. DOT
BWI Airport
P.O. Box 8755
Baltimore MD 21240
859-7362

MEMBERS

Paul M. Bomgardner
Haz. Mat. Specialist
Safety Department
American Trucking Association
2200 Mill Road
Alexandria VA 22314-4677
(703) 838-1849

Training and Penalties Subcommittee

CHAIRMAN

Melvin Holmes
Associate Administrator
Driver Services
Motor Vehicle Administration
6601 Ritchie Highway
Glen Burnie, MD 21062

MEMBERS

Dr. Harvey Clearwater
Associate Professor
Director, Safety Education
Center
University of Maryland
PERH
College Park, MD 20742

William L. Rohrbaugh
President
Maryland Bus Association
Rohrbaugh's Charter Service,
Inc.
3395 Main Street
Manchester, MD 21102

Capt. Richard Janney
Commander
Automotive Safety Enforcement
Division
Maryland State Police
6601 Ritchie Highway
Glen Burnie, MD 21062

MEMBERS

Senator Thomas Yeager
Legislative District 13
413 Main Street
Laurel, MD 20707

Rita Bontz
President
Independent Truckers and
Drivers Association
1109 Plover Drive
Baltimore, MD 21227

Murray Zepp
Maryland Motor Truck Assn.
3000 Washington Boulevard
Baltimore, MD 21230

Capt. John Himmelmann
Commander
Truck Enforcement Division
Maryland State Police
7777 Washington Boulevard
Jessup, MD 20794

Delegate Jean Roesser
10830 Fox Hunt Lane
Potomac, MD 20854

Ronald Lipps
Office of Transportation
Planning, MDOT
BWI Airport, MD 21240-0755

wp: t&psbcmt
4/18/89

Permitting Subcommittee

CHAIRMAN

Mati Koiva

Maryland Department of Transportation
Office of Transportation Planning, MDOT
P.O.Box 8755
BWI Airport, MD 21240-0755

MEMBERS

Rita Bontz, President
Independent Truckers and
Drivers Association
1109 Plover Drive
Baltimore, MD 21227

Capt. John Himmelmann,
Commander
Truck Enforcement Division
Maryland State Police
7777 Washington Boulevard
Jessup, MD 20794

Capt. Richard Janney,
Commander
Automotive Safety Enforcement
Division
Maryland State Police
6601 Ritchie Highway
Glen Burnie, MD 21062

Ed Hechmer, Chief
Toll Facilities Police
Baltimore Harbor Tunnel
P. O. Box 3432
Baltimore, MD 21225

Steve Adkins
MDOT/OTP
P.O. Box 8755
BWI Airport, MD 21240-0755

MEMBERS

Patricia Shreeve
State Highway Administration
707 N. Calvert St.
Baltimore, MD 21202

Mr. Arthur E. Price, Director
Motor Vehicle Fuel Tax Div.
Comptroller of the Treasury
P. O. Box 1751
L. L. Goldstein Building
Annapolis, MD 21401

John Cahill
State Highway Administration
707 N. Calvert Street
Room #410
Baltimore, MD 21202

Rose Byron
State Highway Administration
707 N. Calvert Street
Room #112
Baltimore, MD 21202

Marshall Rickert
Administrator
Motor Vehicle Administration
6601 Ritchie Highway
Glen Burnie, MD 21062

Joseph Colden
Motor Vehicle Administration
6601 Ritchie Highway
Glen Burnie, MD 21062

wp: prmtsub.mk
10/5/89

Public Information Subcommittee

CHAIRPERSON

Hannah Romney-Whitney
Director, Public Affairs
Maryland Department of Transportation
P.O. Box 8755
BWI Airport, Maryland 21240-0755
(301)859-7300

MEMBERS

Murray Zepp
Maryland Motor Truck
Association
3000 Washington Boulevard
Baltimore, Maryland 21230
644-4600

Mati Koiva
MDOT/OTP
P.O. Box 1755
BWI Airport, MD 21240- 0755
859-7362

Ken Holter
MDOT/OTP
P.O. Box 8755
BWI Airport, MD 21240-0755
859-7605

Lt. Johnny L. Hughes
Maryland State Police
1201 Reisterstown Road
Pikesville, MD 21208-3899
653-4343

4/18/89

MEMBERS

Rita Bontz
President
Independent Truckers and
Drivers Association
1109 Plover Drive
Baltimore, Maryland 21227
242-0507

Kenneth L. Pierson
300 Glen Avenue
Glenn Dale, Maryland 20769
390-6640

Richard Page
Public Service Commission
American Building
231 E. Baltimore Street
Baltimore, Maryland 21202
333-6060

APPENDIX D

Commercial Motor Vehicle Definition



Maryland Department of Transportation

The Secretary's Office

William Donald Schaefer
Governor

Richard H. Trainor
Secretary

June 16, 1989

Chief Counsel
Federal Highway Administration
Room #4232
400 Seventh St. S.W.
Washington, DC 20590

RE: FHWA Docket No. MC-89-5
Commercial Motor Vehicle
Definition

To Whom It May Concern:

We have reviewed the advanced notice of proposed rulemaking regarding the 10,001 pound vs. the 26,001 pound gross vehicle weight rating (GVWR) threshold for commercial motor vehicle definition and offer the following comments.

Maryland adopts all Federal Motor Carrier Safety Regulations (FMCSR's) by reference according to Maryland law. Maryland is currently implementing its own preventive maintenance (PM) program which requires that all commercial motor vehicles must be inspected, repaired, and maintained every 12 months or every 25,000 miles, whichever occurs first. For the PM program, the threshold for trucks is 10,001 pounds. Roadside inspection is one method which will be used to enforce the PM requirement. If the threshold were increased to 26,001 pounds, trucks between 10,001 and 26,000 pounds would not be subject to random roadside inspections and would require "probable cause" to be stopped for inspection. Such a situation would mean that trucks between 10,001 pounds and 26,000 pounds would be subject to a lower level of enforcement than those over 26,000 pounds. In order to achieve uniform enforcement of the Maryland PM law, we favor retention of the threshold at 10,001 pounds GVWR.

Many vehicles in the 10,001 to 26,000 pound category operated under the commercial zone exemption repealed by Congress and FHWA in 1988. Some of these motor carriers now complain of additional paperwork burden especially the requirement to conduct vehicle inspections by the driver and to prepare records of such inspections. These carriers maintain that such frequent daily inspections are unnecessary since the vehicles travel only short distances each day. To alleviate this situation, perhaps the inspection of the vehicle by the driver could be based on a combination of time and mileage, e.g. if miles traveled per day is less than 250, inspection by drivers would be required after

My telephone number is (301)- 859-7333

TTY For The Deaf (301) 859-7227

Post Office Box 8755, Baltimore/Washington International Airport, Maryland 21240-0755

traveling 250 miles. However, our enforcement people point out that changing the daily inspections to a time/mileage criteria would make enforcement more difficult.

In an attempt to assess the level of maintenance of the 10,001 to 26,000 pound vehicle category, Maryland recently conducted random roadside inspections of vehicles and their drivers in this weight range with the following results:

<u>Date</u>	<u>No. of Inspections</u>	<u>No. OOS* Inspections</u>	<u>Percentage (%) OOS</u>
March, 1989	39	21	54
May, 1989	29	13	45
May, 1989	84	30	36
TOTALS	<u>152</u>	<u>64</u>	<u>42</u>

* OOS - Out of service

Maryland also recently conducted a random inspection of all buses and heavy trucks with the following results:

<u>Date</u>	<u>No. of Inspections</u>	<u>No. OOS Inspections</u>	<u>Percentage (%) OOS</u>
March, 1989	261	120	46

Maryland roadside inspection results of all buses and trucks since January 1, 1988 are as follows:

<u>Date</u>	<u>No. of Inspections</u>	<u>No. OOS Inspections</u>	<u>Percentage (%) OOS</u>
CY 1988	27,543	15,184	55
Qtr.end 3/31/89	5,068	2,509	50
April, 1989	1,648	888	54
TOTALS	<u>34,259</u>	<u>18,581</u>	<u>54</u>

Although the out of service rate for the 10,001 to 26,000 pound vehicles is lower than the rate for all vehicles, we consider the 42% rate unacceptable.

We are concerned that exempting a whole class of vehicles from FMCSR's will send the "wrong" safety message to owners and drivers of such vehicles. According to U.S. Department of Transportation fatal accident records for 1987, the following is a comparison of fatalities per 100 million vehicle miles traveled:

- * 6.6 for trucks over 26,000 pounds
- * 3.6 for trucks between 10,001 and 26,000 pounds, and;
- * 2.4 for all vehicles

Although the fatal accident rate for the 10,001 to 26,000 pound trucks is better than the rate for trucks over 26,000 pounds, it is still considerably above the rate for all vehicles. Efforts are continuing nationally to reduce not only the fatality rate but all accident rates to reduce injuries and property losses. We believe that retaining the 10,001 to 26,000 pound vehicles in the overall safety program will enhance highway safety.

We appreciate the dilemma the current situation poses to the Federal Highway Administration with some states using 26,001 pounds as the threshold for the Motor Carrier Safety Assistance Program (MCSAP). Perhaps such states could still be allowed to participate in MCSAP, but at a different funding rate than those who utilize the 10,001 pound threshold. States utilizing the 10,001 pound level could be provided an additional incentive assistance grant for complying with FMCSR's.

The above issues were discussed extensively by our Governor's Motor Carrier Task Force for Safety and Uniformity composed of state officials and industry representatives and its Industry Advisory Committee. Although not unanimous, the above comments reflect the majority opinion of the group. We also draw your attention to the comments provided to you previously by the Maryland Motor Truck Association and the Baltimore Gas and Electric Company whose representatives were party to the task force discussions. In addition, Mr. Rayne G. Poussard of United Parcel Service has asked us to provide you his comments which are attached.

Enclosed is a Word Perfect 5.0 floppy disk of this letter as requested.

We hope these comments are helpful to you and look forward to our continued mutual efforts to improve highway safety.

Sincerely,



Clyde E. Pyers
Director
Office of Transportation Planning

CEP:sl
Enclosures

cc: Secretary Richard H. Trainor
Deputy Secretary Steve Zentz
Walter Thompson, MMTA
Harry Filling, BG&E
Russ Fiste, CVSA
Ray Poussard, UPS

Comments received from Mr. Rayne G. Poussard, United Parcel Service
re: FHWA Docket No. MC-89-5

Please know that it is my opinion that MCSAP was intended at the outset for larger vehicles of the 26,000 GVW variety; and for vehicle safety requirements rules governing these vehicles ought to remain the same at that threshold. Vehicles under 26,001 GVW were never thought to be over the road variety, rather always returning to the facility from local runs.

Our own entire fleet 80,000 vehicles are inspected through a rigid PMI schedule regardless of weight, size.

As to driver qualifications, I can't emphasize the importance of regulating driver qualifications at the 10,000 GVW threshold. Drivers cause accidents all too often, not equipment. I realize CDL, drug testing, IRP; etc. are 26,000 GVW, but as to driver qualifications, the 10,000 GVW ought to be retained without exception.

Question 1 of CVSA (see attached): Yes to intra/inter.
Question 2, clearly NO.

As a matter of fact, if Question 2 can't be two part classification such as 10,000 GVW for driver qualification, and 26,000 GVW for equipment, then it must be 10,000 GVW for driver regulation threshold.

I hope I haven't muddled up the waters for you. With kindest best wishes, I remain.

Signed: Ray Poussard

APPENDIX E

Commercial Driver Licensing Training Sources

COMMERCIAL DRIVER LICENSING TRAINING SOURCES

Cecil Community College*
97 N. Leslie Road
Northeast, Maryland 21901

Dundalk Community College*
7200 Sollers Point Road B
Baltimore, Maryland 21222

University of Maryland *
College Park, Maryland

Diesel Institute *
5600 Columbia Park Road
Cheverly, Maryland 20785

National Training System, Inc. *
P.O. Box 2719
Laurel, Maryland 20708

Neilson Associates
Transportation Safety Program
10101 Dubarry Street
Glen Dale, Maryland 20769

Transportation Safety Consultants, Inc.
10740 Lyndale Avenue South
Bloomington, MN 55420

SPA (Safe Performance Associates)
3250 U.S. Highway 19, North
Clearwater, Florida 34618

W.C. Porter *
Drive - Rite
95 Acquhart Road
Glen Burnie, Maryland 21061

American Roadcraft Testing
and Training Services
15200 - A Shady Grove Road
Suite 536
Rockville, Maryland 20850

-2-

American Trucking Association
2200 Mill Road
Alexandria, Virginia 22314

Commercial Testing and Training Service
101 Spruce Road
Seaford, Delaware 19973

National Training Systems Institute
Publications, Inc.
1235 Woodrow Street, NE
Salem, Oregon 97303

* Driver Testing Facility

APPENDIX F

Capital Beltway Safety Issues

Capital Beltway Safety Issues
(Summary of 9/15/88 TSTF meeting)

Issue	Potential Actions	Actions Taken	By	Legislation Needed
1. Enforcement	<ul style="list-style-type: none"> - Increase MSP visibility - Utilize BAT Patrol (now the Special Traffic Enforcement Unit) - Install radar units on SHA trucks as decoys for radar detectors - Increase use of radar by MSP 	<p>Both Md./Va. are looking, over the long term, to increase visibility and presence on the beltway</p> <p>In operation; 18 troopers assigned; all have radar; also 1 motorcycle</p> <p>Approvals have been obtained for stationary and unattended radar units to be mounted in SHA vehicles; units in operation</p> <p>PhotoRadar demonstration project funded by NHTSA being implemented</p>	<p>MSP</p> <p>MSP</p> <p>SHA</p> <p>MSP</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	By	Legislation Needed
- Roadside inspection of trucks and drivers	Potential sites identified and preparations being made to start inspections; inspections being conducted at I-95/495 & I-95/MD 210	MSP/ SHA	No
- Use rolling roadblocks for speed uniformity	Too much congestion to use rolling roadblocks	MSP	No

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	By	Legislation Needed
- Increase fines for speeding and improper lane changing	Representatives of local associations should meet with court representatives to encourage imposing maximum allowable fines and penalties for traffic offenses; subcommittee reviewed and made recommendations.	T&P	Yes
- Use county police to supplement MSP patrols	MSP concentrating on Beltway; county police on other roads.	MSP	No
- Enforcement of PM law and regulations	Regulations drafted; published 6/30/89 and 11/3/89 in MD Register; public meetings held; regulations effective 1/8/90.	MMCSP	No

Issue	Capital Beltway Potential Actions	Safety Issues (Cont'd) Actions Taken	By	Legislation Needed
2. Public Information	- Telephone number for citizen complaints	ATA Virginia's number is (703) 838-1855; MDOT/- 800-543-4564 motor carrier number to be used for citizen complaints; complaint form has been developed to log in complaints and forward to trucking companies for their information and action	PI	No
	- Require name and telephone number on rear of truck	Difficult because of configuration of many trucks and trailers; name and city required on side now.	PI	Yes

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	Actions Taken	By	Legislation Needed
	- Stopping capabilities of trucks	Developing fact sheet; use of AAA Film on "Sharing the Road with Trucks", after re-editing; use of speakers bureau to promote citizen awareness of car and truck driving characteristics; MMTA printed brochure; also part of "Drive To Survive"	PI	No
3. Emergency Response & Incident Management	- Review Baltimore system	Md. route diversion and traffic management contingency plans being refined	SHA	No
	- Conduct periodic joint state/local training exercises	Regional Emergency Response Plan to be examined; increased training for haz-mat response teams	SHA	No

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	Actions Taken	By	Legislation Needed
	- Critique each incident to review problems and make improvements	Md./VDOT consultant beltway study includes review of incident management improvements; meetings being held	SHA	No
	- Uniform radio communication bands	Preliminary coordination among Va./Md. to improve communication; Wilson Bridge incident management improvements made	SHA	No
	- Utilize helicopter	MSP helicopter available on limited basis.	SHA	Yes (budgeting)
4. Highway and Traffic Engineering	- Review ramp design	Review of specific interchanges for adequacy of geometric design features - completed, signs in place	SHA	No

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	By	Legislation Needed
- Review ramp speeds	Interchange ramp speeds to be evaluated and signing adjusted, advance signing to deter last minute lane changes - completed, signs in place	SHA	No
- Impose truck lane restrictions	Completed, all hazardous material vehicles restricted to two right lands; all trucks restricted from left lane	SHA	No
- Use helicopter for traffic control	Too expensive	SHA	No
- Construct Washington, DC by-pass	Public workshops held; consultant study underway.	SHA	Yes (budgeting - Federal and State)

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	Actions Taken	By	Legislation Needed
5. Education	- Undertake program to change driver attitudes	Need to identify/catalog available resources, public and private, to develop effective PI programs; need to target specific audience, eg. beltway drivers, with specific driving technique changes/emphasis; included as part of "Drive To Survive"	T&P	No
	- Encourage organizations to utilize defensive driving courses	Including MDOT state employee drivers	T&P	No

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	Actions Taken	By	Legislation Needed
6. Policy	<ul style="list-style-type: none"> - Provide "Share the Road" videotape to all high school education programs 	<p>Video to be reviewed and possibly re-edited to make it more relevant to current situation; 25 copies ordered from AAA Foundation; MVA will distribute to commercial driving schools</p>	T&P	No
	<ul style="list-style-type: none"> - Restrict hazardous materials carriers from beltway during rush hours 	<p>Not recommended since it would force haz-mat carriers into areas and neighborhoods where the potential for an incident would be greater and a response would be difficult to coordinate</p>	TSTF	?

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	Actions Taken	By	Legislation Needed
7. Other	- Endorse Commercial Driver License Program	Endorsed by both task forces; legislation passed; to be fully implemented by end of 1992.	TSTF	Yes
			PI	No
	- Encourage use of public transportation	As part of a PI program, the promotion of regional mass transit, carpools, hov lanes, etc. should be encouraged	PI	No
			PI	No

Issue	Capital Beltway Safety Issues (Cont'd) Potential Actions	Actions Taken	By	Legislation Needed
-	Encourage delivery of fuel and other materials during off-peak hours and at night	All levels of government should allow for such deliveries during night time; associations and governmental agencies contacted by MDOT; two meetings held w/concerned; letter sent from Secretary, MDOT to state agencies and local governments asking for cooperation to increase receiving hours.	MDOT	No

Issue	Capital Beltway Safety Issues (Cont'd)	By	Legislation Needed
Potential Actions	Actions Taken		

* NOTES

<p>MSP - Maryland State Police SHA - State Highway Administration MMCSP - Maryland Motor Carrier Safety Program T&P - Training and Penalties Subcommittee</p>	<p>PI - Public Information Subcommittee ERIM - Emergency Response and Incident Management Subcommittee TSTF - Truck Safety Task Force MMTA - Maryland Motor Truck Association</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------